

## **REMARKS**

### **Summary**

Prior to entry of the foregoing amendment, Claims 1, 6, 11-12 and 17-18 were pending in the present application, with Claims 1, 6 and 11-12 and 17-18 being independent claims. New Claims 19-24 have been added without adding new matter. Upon entry of the foregoing amendment, Claims 1, 6, 11-12 and 17-24 are pending in the present application, with Claims 1, 6, 11-12 and 17-18 being independent claims and Claims 19-24 being dependent claims. Applicants respectfully request reconsideration of Claims 1, 6, 11-12 and 17-18 and consideration of Claims 19-24 in view of the amendments above and the remarks below.

### **Rejections Under 35 U.S.C. § 103**

Claims 1-6, 11-12, and 17-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hua et al. (U.S. Patent No. 7,127,120) (hereinafter, "Hua et al.") in view of Ahmad (U.S. Publication No. 2004/0052505) (hereinafter, "Ahmad") and in further view of Moore et al. (U.S. Patent No. 7,102,643) (hereinafter, "Moore et al.").

Claim 1 is directed to an information processing method for editing input data and includes: "an obtaining step of obtaining, from metadata of the data, event information indicating a theme of two scenes sandwiching a position for a transition clip among all scenes in the data and/or object information indicating objects existing in the two scenes; a correlation obtaining step of obtaining correlation of the two scenes, based on the event information and/or the object information of the two scenes obtained at the obtaining step, from a correlation storage unit storing in advance correlation between each event information and/or each object information; an impression obtaining step of obtaining first impression information indicating an impression meant to be given to an audience by a transition clip to be inserted between two scenes having the correlation, the first impression corresponding to the correlation obtained at the

correlation obtaining step, from an impression storage unit storing, in an associated manner, the correlation between the two scenes sandwiching the transition clip and the impression meant to be given to an audience by the transition clip to be inserted between the two scenes having the correlation; a calculating step of calculating a suitability ratio indicating suitability of each transition clip stored in advance, as a transition clip to be inserted into the position being sandwiched between the two scenes, by comparing second impression information associated with a transition clip by an additional information storing unit storing in advance the information indicating an impression meant to be given to an audience by each transition clip and the first impression information obtained at the impression obtaining step; a transition clip extracting step of extracting at least one transition clip from among a plurality of transition clips stored in advance, in decreasing order of suitability ratio calculated at the calculating step; a displaying step of displaying at least one transition clip extracted at the transition clip extracting step in decreasing order of suitability ratio calculated at the calculating step; a receiving step of receiving an instruction to specify an arbitrary transition clip from the at least one transition clip displayed at the displaying step; a determining step of determining the transition clip which is specified at the receiving step as a transition clip to be inserted into the position being sandwiched between the two scenes; and processing step of adding a transition effect to the data by using the transition clip determined at the determining step.” (emphasis added).

The invention of Claim 1 attains an effect that it is possible to add a transition effect which gives the most appropriate impression in accordance with the change of previous and subsequent scenes and the relation of photographed persons and the like. As described below, the cited and applied reference, when taken either alone or in combination do not include all of the features of Claim 1 and can not provide the above-mentioned effect attained by the invention of Claim 1.

The Hua et al. reference discloses determining whether previous and subsequent sub-shots are similar or not in hue, saturation and luminance. When

it is determined that they have similarity, a transition clip of fade-in/fade-out is inserted. When it is determined that they have no similarity, a transition clip is selected at random. See 218 of Fig. 2 and description thereof.

The Moore et al. reference discloses a structure to extract, in a presentation using a slideshow, a transition effect according to display configuration states of two slides to which the transition effect is applied. In the Moore et al. reference, there are a plurality of tables indicating relationship between the display configuration states of the two slides and the transition effect to be added, and each table is categorized under separate titles such as “effect” and “feeling”.

The Ahmad reference discloses that a transition effect of each clip included in a visual recording summary which is a digest version of a moving image is determined based on an evaluation of the visual recording summary. The Ahmad reference discloses that the transition effect is determined based on a beat of an audio content added to the visual recording summary. For example, the Ahmed reference discloses that when a visual recording summary in the vicinity of a portion to which a transition effect is inserted has a fast beat, a “cut” is used and when it has a slow beat, a “cross fade” is used.

The Ahmad reference was added in this Office Action to make up for deficiencies in the previous Office Action including, *inter alia*, teaching the features of Claim 1 of “an impression obtaining step of obtaining first impression information indicating an impression meant to be given to an audience by a transition clip to be inserted between two scenes having the correlation, the first impression corresponding to the correlation obtained at the correlation obtaining step, from an impression storage unit storing, in an associated manner, the correlation between the two scenes sandwiching the transition clip and the impression meant to be given to an audience by the transition clip to be inserted between the two scenes having the correlation” and “a calculating step of calculating a suitability ratio indicating suitability of each transition clip stored in advance, as a transition clip to be inserted into the position being sandwiched between the two scenes, by comparing second impression information

associated with a transition clip by an additional information storing unit storing in advance the information indicating an impression meant to be given to an audience by each transition clip and the first impression information obtained at the impression obtaining step”

However, the Ahmad reference does not teach or suggest the features mentioned above. The Ahmad reference does not teach or suggest obtaining correlation of previous and subsequent scenes (a scene corresponds to a “clip” in the Ahmad reference) between which a transition clip is to be inserted and obtaining an impression meant to be given to an audience by the correlation to determine a transition effect as in Claim 1. The Ahmad reference discloses determining the transition effect in accordance with the audio content of the visual recording summary. As described in paragraph [0042], the audio content is determined by using metadata regarding a visual recording which is data before the visual recording summary is made. The transition effect is not determined based on the correlation of the clips included in the visual recording summary. Since the transition effect is determined in accordance with the audio content determined in this manner, merely a transition effect that matches an entire atmosphere of the visual recording summary is selected as a result, and it is not possible to select a transition effect which gives the most appropriate impression based on the correlation of a previous and a subsequent clips between which the transition effect is inserted.

For example, if a scene of "bride and groom in anteroom" and a scene of "entrance of bride and groom" are a connected single visual recording summary, in the invention of Claim 1, it is possible to determine that an impression of “change” should be given to an audience when the scene of "bride and groom in anteroom" is changed to the scene of "entrance of bride and groom" (S52 of Fig. 5 and Fig. 9) and possible transition effects which can give this impression are extracted.

However, in the Ahmad reference, it is impossible to determine that an impression of “change” should be given when the scene of "bride and groom in anteroom" is changed to the scene of "entrance of bride and groom"

That is, Ahmad reference does not teach or suggest the feature of Claim 1 of “an impression obtaining step of obtaining first impression information indicating an impression meant to be given to an audience by a transition clip to be inserted between two scenes having the correlation, the first impression corresponding to the correlation obtained at the correlation obtaining step, from an impression storage unit storing, in an associated manner, the correlation between the two scenes sandwiching the transition clip and the impression meant to be given to an audience by the transition clip to be inserted between the two scenes having the correlation.”

Further, the Ahmad reference does not teach or suggest “and “a calculating step of calculating a suitability ratio indicating suitability of each transition clip stored in advance, as a transition clip to be inserted into the position being sandwiched between the two scenes, by comparing second impression information associated with a transition clip by an additional information storing unit storing in advance the information indicating an impression meant to be given to an audience by each transition clip and the first impression information obtained at the impression obtaining step.” (emphasis added).

As described above, Claim 1 includes features not taught or suggested by the Hua et al. reference, the Ahmad reference and the Moore et al. reference, when taken either alone or in combination. Claim 1 is not rendered obvious by the Hua et al. reference, the Ahmad reference and the Moore et al. reference. Claim 1 is believed allowable. Applicants respectfully request reconsideration and withdrawal of the rejection of Claim 1.

Claims 6, 11-12 and 17-18 include, *inter alia*, features similar to those discussed above and are believed allowable for at least the same reason as those discussed above with reference to Claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections of Claims 6, 11-12 and 17-18.

The remaining claims (Claims 19-24) are dependent claims and are believed allowable because they each depend from an allowable base claim.

Furthermore, each dependent claim is also deemed to define an additional aspect of the invention, and individual consideration of each on its own merit is respectfully requested.

### **CONCLUSION**

Applicants respectfully submit that all of the claims pending in the application meet the requirements for patentability and respectfully request that the Examiner indicate the allowance of such claims.

Any amendments to the claims which have been made in this response which have not been specifically noted to overcome a rejection based upon prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

If any additional fee is required, please charge Deposit Account Number 502456.

Should the Examiner have any questions, the Examiner may contact Applicants' representative at the telephone number below.

Respectfully submitted,

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/Marlene Klein/

Date

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